

# **EXHIBIT A**

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September 15, 2005

E-MAIL AND HAND DELIVERY

David S. Eagle, Esquire  
Klehr, Harrison, Harvey,  
Branzburg & Ellers LLP  
919 Market Street, Suite 1000  
Wilmington, DE 19801

Re: Elsmere Park Club, L.P. v. Town of Elsmere, et al.  
U.S.D.C., C.A. 04-1321 ("District Court Case")

Dear David:

This will confirm that the defendants intend to reply upon the following expert reports in the defense of the action:

1. The Tiffany-Bader Environmental Report delivered to you on June 30, 2004 by Wendy E. Carr. Previously, you received the supporting documentation for that report.
2. The Affidavit of Gerald Llewellyn, Ph.D, together with the affidavits filed in the Court of Chancery litigation by his colleagues at the Delaware Department of Health. Previously, you received the supporting documentation for those affidavits.

Other than statutory witness fees, I do not expect to pay these experts for their testimony.

Finally, defendants reserve their rights to obtain additional expert testimony should the plaintiff obtain leave to file any additional expert testimony in support of its case.

Sincerely,



Edward M. McNally

EMM:lm1